Remarks and Arguments

Claims 1 and 3-5 are pending in this application. Claims 1 and 3-5 stand rejected. With this amendment claims 1 and 5 are amended while claim 4 is cancelled.

As a result of this Amendment and the following discussion, the applicants believe that all of the claims now remaining in the application – in their present form – are allowable.

If however, the Examiner believes that there are any unresolved issues requiring adverse action in any of the claims now pending in the application, it is requested that the Examiner telephone Jeffery J. Brosemer, Ph.D., ESQ. At 732-335-5773, so that arrangements may be made for resolving such issues as expeditiously as possible.

Claim Rejections 35 U.S.C. § 103(b)

Claims 1, and 3 - 5 are rejected under the provisions of 35 U.S.C. § 103 as being unpatentable over Li et al. (an article entitled "Support Vector Regression and Classification Based On Multi-View Face Detection and Recognition", which was presented at FG2000) in view of Nicponski et el.

In response, the applicants have amended independent claim 1. In view of these amendments and the following discussions, the applicants submit that all of the claims now present in the application are not rendered obvious by the Li et al reference in view of the Nicponski reference.

More particularly, and as now explicitly recited, the present invention employs an estimation of an out-of-plane rotation of a face, while Nicponski employs in-plane rotation. Importantly, the present invention achieves invariance to irrelevant (to estimating the out-of-plane rotation) images by employing a set of filters whose shapes are matched to that of facial features.

In sharp contrast, Nicponski utilizes integral images which – as the examiner can surely appreciate – does not consider any specific knowledge of the face. Advantageously, and according to the present invention, the filters are generated to

match the variety of facial feature shapes of different individuals when their face undergoes the out-of-plane rotation.

Given this, the applicants submit that independent claim 1 – as amended – is not rendered obvious by the cited combination of the Li et al reference and/or the Nicponski reference. Since the remaining dependent claims 3, and 5 each depends therefrom and recites further distinguishing aspects of the invention – the applicants submit that they too are not obvious in view of the cited references. Accordingly, the applicants respectfully request the Examiner to withdraw the rejections based upon 35 USC 103.

Conclusion

The applicants submit that all of the claims now present in the application fully comply with the provisions of 35 U.S.C. § 103 and therefore are allowable. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

Respectfully submitted,
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CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being transmitted to the United States Patent and Trademark Office on 17 July 2008.

s/Jeffery J. Brosemer/

Signature

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